

3:19-cv-513 (GTS/DEP)

EXHIBIT B

1. Agency Binghamton Police		2. Division/Princt New York State		3. ORI NY 0030100		4. <input checked="" type="checkbox"/> Orig <input type="checkbox"/> Supp		5. Case No. 19-2189		6. Class Code	
7. Report Day We		8. Date 01/16/2019		9. Report Time 1124		10. Day Tu		11. Date 01/15/2019		12. Time 1230	
13. Day Tu		14. Date 01/15/2019		15. Time 1315		16. Incident Type Juvenile Complaint		17. Business Name East Middle School		18. Weapon(s) N/A	
19. Incident Address (Street No., Street Name, Bldg. No., Apt. No.) 167 E. Frederick Street								20. City, State, Zip (<input checked="" type="checkbox"/> C <input type="checkbox"/> T <input type="checkbox"/> V) Binghamton, NY		21. Location Code 0401	
22. OFF. NO.		LAW		SECTION		SUB		CL		CAT	
1										Mis	
2										Vic	
3										Vic	
23. No. of Victims 1		24. No. of Suspects 1		25. Person Type: CO = Complainant OT = Other PI = Person Interviewed PR = Person Reporting WI = Witness NI = Not Interviewed VI = Victim		26. Victim also complainant <input checked="" type="checkbox"/> Y <input type="checkbox"/> N					
27. Date of Birth		28. Age 12		29. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F		30. Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other		31. Ethnic <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Unk		32. Handicap <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
33. Residence Status <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Tourist <input type="checkbox"/> Student <input type="checkbox"/> Other		34. Victim DID receive information on Victim's Rights and Services pursuant to New York State Law <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		35. Type/No. NI		36. Name (Last, First, Middle) Eggleston, Maryellen		37. Alias/Nickname/Maiden Name (Last, First, Middle)		38. Apparent Condition <input type="checkbox"/> Impaired Drugs <input type="checkbox"/> Mental Dis. <input checked="" type="checkbox"/> Unk	
39. Address (Street No., Street Name, Bldg. No., Apt. No., City, State, Zip)		40. Phone No. <input type="checkbox"/> Home <input checked="" type="checkbox"/> Work		41. Social Security No.		42. Date of Birth		43. Age		44. Sex <input type="checkbox"/> M <input type="checkbox"/> F	
45. Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other		46. Ethnic <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Unk		47. Skin <input checked="" type="checkbox"/> Light <input type="checkbox"/> Dark <input type="checkbox"/> Unk		48. Occupation East Middle School Nurs		49. Height		50. Weight	
51. Hair		52. Eyes		53. Glasses <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		54. Build <input checked="" type="checkbox"/> Small <input type="checkbox"/> Large		55. Employer/School East Middle School		56. Address 167 E. Frederick Street	
57. Scars/Marks/Tattoos (Describe)		58. Misc.		59. Victim or Suspect No.		60. Vehicle Status		61. License Plate No.		62. State	
63. Exp. Yr.		64. Plate Type		65. Value		66. Veh. Yr.		67. Make		68. Model	
69. Style		70. VIN		71. Color(s)		72. Towed By To:		73. Vehicle Notes			
74. On Wednesday, 16Jan2019, at about 1124 hours, while detailed at East Middle School SRO, in the School District, City of Binghamton, a parent, Zulayka McKinstry informed me that she wanted to pursue charges against the School Nurse, Maryellen Eggleston for inappropriate touching and comments towards her daughter, [REDACTED] student of East Middle School, during an apparent vitals check in the Nurses offices on Tuesday, 15Jan2019, at about 1230 hours. Z. McKinstry explained that [REDACTED] was told to take off her sweater and pants, to where she only had on a bra and underwear, at which time, the Nurse, Eggleston is being accused of placing to fingers on each side of [REDACTED] bra, and instructed her to lift the bottom portion of her bra to ensure nothing was in her bra.											
75. Inquiries (Check all that apply) <input type="checkbox"/> DMV <input type="checkbox"/> Want Warrant <input type="checkbox"/> Scottlaw <input type="checkbox"/> Crim. History <input type="checkbox"/> Stolen Property <input type="checkbox"/> Other											
76. NYSPI Message No.											
Reporting Officer's Name (Print) ARTHUR WILLIAMS JR											
77. Reporting Officer Signature (Include Rank)											
78. ID No. 355											
79. Supervisor Signature (Include Rank)											
80. ID No. 314											
81. Status <input type="checkbox"/> Open <input checked="" type="checkbox"/> Closed (If Closed, check box below) <input type="checkbox"/> Unfounded <input type="checkbox"/> Victim Refused to Prosecute <input type="checkbox"/> Arrest <input type="checkbox"/> Prox Declined <input type="checkbox"/> Warrant Advised <input type="checkbox"/> CBI <input type="checkbox"/> Juv. - No Custody <input type="checkbox"/> Arrest - Juv <input type="checkbox"/> Offender Dead <input type="checkbox"/> Extrad. Declined <input type="checkbox"/> Unk											
82. Status Date 01/18/19											
83. Notified TOT											
84. Use cover sheet <input checked="" type="checkbox"/>											
85. 1											
86. 2											
87. 3											
88. 4											
89. 5											
90. 6											
91. 7											
92. 8											
93. 9											
94. 10											
95. 11											
96. 12											
97. 13											

CITY OF BINGHAMTON POLICE DEPT.38 HAWLEY STREET BINGHAMTON, NY 13901 (607) 723-5321 Page 1 of 2

INCIDENT LOCATION	TIME	CODE	CASE NUMBER	DATE
167 E. Frederick Street	1124		19-2189	01/16/2019

Z. McKinstry, also explained that a comment was made regarding her daughters chest area, she was told that Eggleston said that [REDACTED] was "flabby." Z. McKinstry was very upset regarding the above information, given by [REDACTED] and Z. McKinstry wanted Eggleston arrested for inappropriate touching and comments towards [REDACTED] chest area. I did not talk to [REDACTED] at any time.

I then spoke with the Principal, Mr. Tim Simonds, who informed me on Tuesday, 15 Jan 2019, at about 1245 hours, that several students appeared to be under the influence of some unknown substance. He ask, if there was any way I could observe the students and determine if they had taken any illegal substances. I informed Mr. Simonds, the only way to determine if those students are under any illegal substance was through a blood test. He ask, if I could just view the students and get my professional opinion regarding their behavior, due to the fact I am aware of the behavior of most of the students in the school. I observed the students from the doorway of the Nurses office waiting room area. It did appear the student were acting abnormal with a lot of giggling, and various conversation, and the fact that they had been sitting in the nurses office for more than 30 minutes did not bother them was odd for those students because they are usually very upset by being stuck in one area and being questioned by the principal, especially during lunch. I advised Mr. Simonds to call their parents, check their lockers, bags, and have them empty their pockets to ensure they don't have anything on them. After giving that information to Mr. Simonds, I left the nurses office. The students was not interviewed by me. During the time I was observing those students, [REDACTED] was in one of the rooms in the nurses offices, with the door closed, with the nurse, Eggleston. I did not go into that room.

Mr. Simonds informed me that Eggleston wanted to take [REDACTED] vital, and she had on a large sweater where her blood pressure could not be taken properly. She had to take off her sweater in order for her blood pressure to be taken. She did not have on a shirt under the sweater, so she was told to take it off. [REDACTED] took off the sweater and her blood pressure was taken. Once completed, her sweater was put back on. Only Eggleston and [REDACTED] was in this room during that time. The assistant principal Michelle Religh, came into the room once her sweater was back on, and Mrs. Religh ask [REDACTED] to take off her shoes to ensure she did not have any contraband in her shoes. Mr. Simonds expressed, that was all that happen in that room, told to him by Eggleston. I did not talk to Eggleston regarding this incident.

I was informed that the School District was going to investigate this incident.

I informed Z. McKinstry that a police report would be completed.

I will forward this report to Detectives.

Nothing further at this time.

Ofc. Arthur Williams Jr 355 BPD/SRO

OFFICER'S NAME, RANK, & I.D.

Arthur Williams Jr 355

APPROVED BY

SUPPLEMENTARY POLICE REPORT